

Form 5. Notice of Appeal to a Court of Appeals from a Judgment or Order of a District Court or a Bankruptcy Appellate Panel

United States District Court for the NORTHERN

District of CALIFORNIA

In re)

Debtor)

HOMER E. HAWKINS (3))
Plaintiff)

v.)

ROBERT DOYLE, et al)
Defendant)

File No. CV-07-05644 (SI (pr))

RECEIVED
MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MAY - 1 2008

FILED _____
DOCKETED _____
FILED INITIAL _____

MAY 01 2008

RICHARD W. WHEELING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Notice of Appeal to United States Court of Appeals for the NINTH Circuit

HOMER E. HAWKINS (3), the plaintiff [or defendant or other party] appeals to the United States Court of Appeals for the NINTH Circuit from the final judgment [or order or decree] of the district court for the district of CALIFORNIA [or bankruptcy appellate panel or the NINTH circuit], entered in this case on APRIL 18, 2008 [here describe the judgment, order, or decree] ORDER OF DISMISSAL (No. C-07-5644).

The parties to the judgment [or order or decree] appealed from and the names and addresses of their respective attorneys are as follows:

Dated April 29, 2008
Signed Homer E. Hawkins
Attorney for Appellant
Address: P.O. Box 2199
Glythe, CA. 92226

(As added Apr. 25, 1989, eff. Dec. 1, 1989; Apr 1, 1993, eff. Dec. 1, 1993, eff. Dec. 1, 1994.)

MAY 01 2008

FILED
A-11 (rev. 5/00)

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USCA DOCKET # (IF KNOWN)

UNITED STATES COURT OF APPEALS FOR THE
NINTH CIRCUIT
CIVIL APPEALS DOCKETING STATEMENT

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY.

TITLE IN FULL: ROBERT DOYLE, MARIN COUNTY SHERIFF; et al.	DISTRICT: <i>NORTHERN</i> JUDGE: <i>SUSAN ILSE</i>	
	DISTRICT COURT NUMBER: <i>C-07-5644-SI(p)</i>	
	DATE NOTICE OF APPEAL FILED:	IS THIS A CROSS-APPEAL? <input type="checkbox"/> YES
	IF THIS MATTER HAS BEEN BEFORE THIS COURT PREVIOUSLY, PLEASE PROVIDE THE DOCKET NUMBER AND CITATION (IF ANY): <i>NO. 03-16301</i> <i>SEE EXHIBIT'S (D)</i>	
BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW: <i>SEE EXHIBIT'S (A)</i>		
PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL: <i>SEE EXHIBIT'S (B)</i>		
PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT COURT POST- JUDGMENT MOTIONS): <i>SEE EXHIBIT'S (A)(B)(C)</i>		
<p>DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING:</p> <p><input checked="" type="checkbox"/> Possibility of settlement</p> <p><input checked="" type="checkbox"/> Likelihood that intervening precedent will control outcome of appeal</p> <p><input type="checkbox"/> Likelihood of a motion to expedite or to stay the appeal, or other procedural matters (Specify) <i>The Honorable U.S. DISTRICT JUDGE Mrs. SUSAN ILSTON, did not follow the "NINTH CIRCUIT" order. See Exhibit (D)</i></p> <p><input checked="" type="checkbox"/> Any other information relevant to the inclusion of this case in the Mediation Program <i>The U.S. DISTRICT JUDGE "Mrs. SUSAN ILSTON" second Judgment was inconsistent with "NINTH CIRCUIT" MEMORANDUM, REVERSED, and REMANDED. See Exhibit's (A)(D)</i></p> <p><input checked="" type="checkbox"/> Possibility parties would stipulate to binding award by Appellate Commissioner in lieu of submission to judges</p>		

LOWER COURT INFORMATION

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JURISDICTION		DISTRICT COURT DISPOSITION	
FEDERAL	APPELLATE	TYPE OF JUDGMENT/ORDER APPEALED	RELIEF
<input checked="" type="checkbox"/> Federal Question <input checked="" type="checkbox"/> Diversity <input type="checkbox"/> Other (Specify):	<input checked="" type="checkbox"/> Final Decision of District Court <input type="checkbox"/> Interlocutory Decision Appealable As of Right <input type="checkbox"/> Interlocutory Order Certified by District Judge (Specify): <input type="checkbox"/> Other (Specify):	<input checked="" type="checkbox"/> Default Judgment <input checked="" type="checkbox"/> Dismissal/jurisdiction <input type="checkbox"/> Dismissal/merits <input type="checkbox"/> Summary Judgment <input type="checkbox"/> Judgment/court Decision <input type="checkbox"/> Judgment/jury Verdict <input type="checkbox"/> Declaratory Judgment <input checked="" type="checkbox"/> Judgment as a Matter of Law <input type="checkbox"/> Other (Specify):	<input checked="" type="checkbox"/> Damages: Sought \$ <u>500,000</u> Awarded \$ _____ <input type="checkbox"/> Injunctions: <input type="checkbox"/> Preliminary <input type="checkbox"/> Permanent <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Attorney Fees: Sought \$ _____ Awarded \$ _____ <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Costs: \$ _____

CERTIFICATION OF COUNSEL

I CERTIFY THAT:

1. Copies of Order/Judgment Appealed Form Are Attached.
2. A Current Service List or Representation Statement With Telephone and Fax Numbers Are Attached (See 9th Cir. Rule 3-2).
3. A Copy of This Civil Appeals Docketing Statement Was Served in Compliance with FRAP 25.
4. I Understand That Failure to Comply With These Filing Requirements May Result in Sanctions, Including Dismissal of This Appeal.

Signature

Date

COUNSEL WHO COMPLETED THIS FORM

NAME: HOMER E. HAWKINS (3)FIRM: PLAINTIFF - PRO. SE.ADDRESS: P.O. Box = 2199 - IRONWOOD STATE PRISONBlythe, California, zip- 92226

TELEPHONE:

FAX:

This Document Should Be Filed in The District Court With The Notice of Appeal

If Filed Late, it Should Be Filed Directly With the U.S. Court of Appeals